

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LEONARD CRESCENZO)	CASE NO.: 2:15-cv-2851 – ALM-NMK
)	
on behalf of himself and all others)	JUDGE ALGENON L. MARBLEY
similarly situated,)	
)	MAGISTRATE JUDGE
Plaintiff,)	NORAH McCANE KING
)	
vs.)	
)	
O-TEX PUMPING, L.L.C.)	
)	
Defendant.)	
)	

**JOINT STIPULATION REGARDING NOTICE AND CONSENT FORM FOR
CONDITIONALLY CERTIFIED CLASS**

Plaintiff Leonard Crescenzo, on behalf of himself and all others similarly situated, and Defendant O-Tex Pumping, LLC hereby file this Joint Stipulation Regarding Notice and Consent Form for Conditionally Certified Class and respectfully state as follows:

I.

On June 15, 2016, the Court granted the Plaintiff's Motion for Conditional Certification. (Doc. 42). As part of that Order, the Court directed the Parties to discuss the form and content of a Notice and Consent Form to be distributed to the Class Members. Accordingly, the Parties have reached an agreement as to the Notice and Consent Form to be distributed to the Class Members, which is attached hereto as Exhibit "A."

Additionally, the Parties have agreed that on June 30, Defendant shall produce the names, last known addresses, and dates of employment for all individuals within the class in excel format. Seven days therefore, Plaintiff will mail via first class mail the Notice and Consent Form to the Class Members.

The Parties have discussed whether the Notice and Consent Form should also be sent via electronic mail. The Parties have not been able to reach an agreement. If Plaintiff choses to do so, Plaintiff will file a separate motion with the Court addressing the propriety of email notice in this case.

RESPECTFULLY SUBMITTED,

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CERTIFICATE OF SERVICE

I certify that this document was filed on June 24, 2016 through the Western District of Pennsylvania CM/ECF system which will serve, via electronic mail, a copy on all parties of record.

/s/ Don J. Foty
Don J. Foty